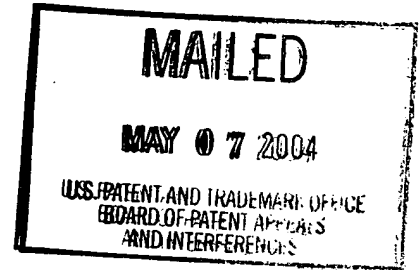


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte TIMOTHY C. LOOSE

Application 09/635,956



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on April 5, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

An Information Disclosure Statement (IDS) was filed August 18, 2003 (Paper No. 13). It is not apparent from the record that the examiner properly considered the IDS submitted nor notified appellants of why his submission did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98.

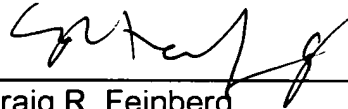
Claims 23, 27 and 28 in the Appendix of the Appeal Brief do not correspond with the claims as presented in Amendment A.

Application 09/635,956

Accordingly, it is

ORDERED that the application is returned to the Examiner for consideration of the IDS, correction of the claims and for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES



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